

Annual
Report
of the
Certification
Officer

1994

Certification Office for
Trade Unions and Employers' Associations

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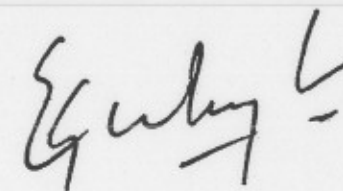
**CERTIFICATION OFFICE
FOR TRADE UNIONS AND EMPLOYERS' ASSOCIATIONS**

**Annual Report
of the Certification Officer
1994**

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I have pleasure in submitting the report on my activities as Certification Officer during 1994 as required by the Trade Union and Labour Relations (Consolidation) Act 1992.



E G WHYBREW
Certification Officer
14 February 1995

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Introduction

This is the nineteenth Annual Report to be published since the post of Certification Officer was established. It deals with my activities during the calendar year 1994.

During 1994 my functions, which stem from the Trade Union and Labour Relations (Consolidation) Act 1992 (as amended) (referred to in this report as "the 1992 Act" or "the Act") included the following responsibilities:

under Part I, Chapter I - for maintaining a list of trade unions, and for determining the independence of trade unions;

under Part I, Chapter III - for dealing with complaints by members that a trade union has failed to maintain an accurate register of members; for seeing that trade unions keep proper accounting records, have their accounts properly audited and submit annual returns; for the investigation of the financial affairs of trade unions, and for ensuring that the statutory requirements concerning the actuarial examination of members' superannuation schemes are observed;

under Part I, Chapter IV - for dealing with complaints by members that a trade union has failed to comply with one or more of the provisions of the Act requiring a trade union to hold secret postal ballots for electing members of its executive committee, president and general secretary;

under Part I, Chapter VI - for ensuring observance of the statutory procedures governing the setting up, operation and review of political funds; and for dealing with complaints about breaches of political fund rules or about the conduct of political fund ballots;

under Part I, Chapter VII - for seeing that the statutory procedures for amalgamations, transfers of engagements and changes of name are complied with, and for dealing with complaints by members about the conduct of merger ballots;

under Part I, Chapter IX - for reimbursing certain expenditure incurred by independent trade unions in conducting secret postal ballots for specified purposes in accordance with Regulations made by the Secretary of State for Employment;

under Part II - for maintaining a list of employers' associations; for ensuring that the statutory requirements concerning accounting records, auditors, annual returns, political funds and the statutory procedures for amalgamations and transfers of engagements in respect of employers' associations are complied with.

These functions are discussed in the following chapters.

During the year there was no lessening in the volume of work arising on complaints by trade union members. Eleven decisions were issued in 1994 following members' complaints and for the first time decisions issued in the year covered trade union

elections, political funds and mergers. The Office's workload concerned with payments towards the cost of secret postal ballots increased despite the gradual phasing out of the refund scheme. The number of ballots covered by refund applications increased by over 385% from 380 in 1993 to 1,469 in 1994. However the ballot costs covered by these applications fell from £3.9m to £3m. There was also an increase in the work connected with the approval of rules for political fund review ballots with several of the major unions conducting their review ballots during the course of the year. The new provisions requiring the disclosure by trade unions of additional financial information came fully into effect during 1994 and compliance has been generally achieved with the minimum of difficulties. A small number of enquiries were instigated into the financial affairs of certain trade unions but it has not proved necessary to make use of the full range of powers available.

The Advisory, Conciliation and Arbitration Service is responsible for providing me with the finance and support services necessary for the performance of my statutory duties but this in no way affects the exercise of my functions independently both of the Service and of the Secretary of State. The Office continued to receive professional advice on superannuation matters from the Government Actuary's Department.

Mr G S Osborne and Mr J L J Craig, WS, continued to hold their appointments as Assistant Certification Officer and Assistant Certification Officer for Scotland respectively. In December 1994 there were 15 staff in post in the Certification Office. The development and training of staff to ensure that the Certification Officer is able to meet his statutory responsibilities is given a high priority and a range of developmental activities were undertaken during the year.

Accounts of the Office prepared under section 258 of the 1992 Act are published separately by order of the House of Commons. In broad terms it is estimated that about 39% of the Office's resources are allocated to work connected with annual returns from trade unions and employers' associations, and the maintenance of the list of trade unions and employers' associations; 35% to work arising from the refund of costs of trade unions' secret postal ballots; and the remainder to other matters including trade union election complaints, trade union mergers, political funds and trade union finances.

The statutory fees to be paid for certain items of work undertaken by the Office were increased by Regulations* made by the Secretary of State for Employment. The fees are reviewed annually and any increase normally becomes effective from 1 April. The Office has adopted fully the principles of the Code of Practice on Access to Government Information.

During the year an audit of the Office was carried out by the Internal Audit Service of the Department of Employment. The systems in place in the Certification Office were found to be generally effective and the recommendations arising from the audit have been accepted and action taken to implement them. The net cost of the Office for the year ended 31 March 1994 was £518,000. The Certification Officer's salary at 31 March 1994 was £31,138 for a three day week. This sum is pensionable at an additional cost to the public purse of £4,830 and it is taxed under PAYE.

Where it is necessary to hold a hearing to determine a complaint the Certification Officer can make payment towards the expenses incurred by the complainant and a friend in attending the hearing. During 1994 such payments amounted to £1,228. Assistance with legal costs is not available.

Advice and contacts for information

Although for the reasons given in last year's report sometimes it can be inappropriate to give advice when asked, the Office is happy to assist where it can and guidance booklets covering different aspects of the Certification Officer's responsibilities are available free of charge. They are listed in Appendix 11. Requests for further information on any aspect of the Certification Officer's duties should be made to the Certification Office, 27 Wilton Street, London, SW1X 7AZ, tel: 0171-210-3734.

* The Certification Officer (Amendment of Fees) Regulations 1994 (S.I. 1994 No. 546).

Lists of Trade Unions and Employers' Associations

Any trade union or employers' association may apply to have its name included in the public lists maintained by the Certification Officer. This Chapter sets out the background to that process and gives the numbers on each list at the end of 1994 and the changes that have occurred during the year. The lists are set out in full in Appendices 1 and 2.

Entry in the lists and its significance

- 1.1 The Certification Officer maintains a list of trade unions and a list of employers' associations in accordance with the provisions of sections 2-4 and sections 123-126 of the 1992 Act.
- 1.2 Listing is voluntary and any organisation of workers or of employers may apply to be listed. (See Appendix 10 for statutory fee). If the Certification Officer is satisfied that the organisation falls within the appropriate definition in the 1992 Act - either section 1 for trade unions or section 122 for employers' associations (reproduced in full in the 1992 Report paragraphs 1.13 and 1.14) - he must enter its name in the relevant list. Entry in the list is usually a simple process and means no more than that the body concerned satisfies the statutory definition. The Act does not impose any test of size or effectiveness.
- 1.3 Any organisation aggrieved by the refusal of the Certification Officer to enter its name in the relevant list may appeal to the Employment Appeal Tribunal.
- 1.4 For trade unions, listing is an essential preliminary to any application for a certificate of independence under section 6 of the 1992 Act. It is also one of the requirements for obtaining tax relief in respect of expenditure on provident benefits. There are no corresponding advantages for employers' associations.
- 1.5 The current lists are available for inspection free of charge at the Certification Office, 27 Wilton Street, London SW1X 7AZ. The lists for organisations having their head office in Scotland are available for inspection at the office of the Assistant Certification Officer for Scotland, 58 Frederick Street, Edinburgh EH2 1LN.

Removal from the lists

- 1.6 If at any time it appears to the Certification Officer that an organisation whose name is entered on the relevant list is not a trade union or an employers' association he may, after giving the organisation concerned the opportunity to make representations, remove its name from that list. There is a right of appeal to the Employment Appeal Tribunal against removal of a name from a list. The Certification Officer must also remove the name of an organisation from the list if he is satisfied that it no longer exists or if the organisation requests that he should do so.

The lists at 31 December 1994

- 1.7 As required by sections 2 and 123 of the 1992 Act this Report includes the lists as at 31 December 1994. They are reproduced as Appendices 1 and 2. The lists at the end of 1994 comprised 267 trade unions and 117 employers' associations.

Changes during 1994 are summarised in the table below:

	On lists at 31 December 1993	Changes between 1 January 1994 and 31 December 1994		On lists 31 December 1994
		Additions	Removals	
Trade Unions	287	5	25	267
Employer's Associations	123	5	11	117

- 1.8 The five additions to the list of trade unions are shown in italics in Appendix 1. Of the 25 unions removed from the list three had ceased to exist as a result of mergers, 19 had been dissolved, one is now an unlisted trade union and two were removed by the Certification Officer because the organisation had ceased to function.
- 1.9 Five employers' associations were added to, and eleven removed from, the list. Of the eleven employers' associations removed from the list, four had ceased to exist as a result of a merger and seven had been dissolved.

Special register bodies

- 1.10 Under the Industrial Relations Act 1971 a special register was established which allowed organisations which were either registered companies or incorporated by charter or letters patent and which took part in collective bargaining on behalf of their members to be registered. These were usually professional bodies.
- 1.11 The Trade Union and Labour Relations Act 1974 resulted in trade unions no longer being allowed to have corporate status, although an exception was built into the legislation to preserve the position of those bodies which were already on the special register.
- 1.12 The statutory requirements affecting trade unions in the 1992 Act are adapted to take account of the corporate status of the bodies and their other activities. Special register bodies are also exempt from the requirement to conduct elections for the posts of president and general secretary; the voting members of the executive must, however, be elected in accordance with the statutory provisions.

The following special register bodies remain on the list of trade unions.

Association of Clinical Biochemists Ltd
British Association of Occupational Therapists Limited
British Dental Association
British Dietetic Association
British Medical Association
Chartered Society of Physiotherapy
Educational Institute of Scotland
Headmasters Conference
Royal College of Midwives
Royal College of Nursing of the United Kingdom
Society of Authors Ltd
Society of Chiropodists and Podiatrists
Society of Radiographers

Unlisted organisations

1.13 Because entry in the lists is voluntary it is difficult to say precisely how many trade unions and employers' associations are in existence at any given time. In addition to the numbers of listed organisations given in paragraph 1.7, at the end of the year there were 18 trade unions and 123 employers' associations which submit annual returns to the Office but which have not sought to be listed. There may be others meeting the statutory definition of which the Office is unaware. Being unlisted does not limit an organisation's statutory responsibilities in relation to trade union law, and returns from unlisted bodies are available for inspection along with those of listed organisations.

Department of Employment

1.14 The information collected by the Office provides the main basis for updating the Department of Employment's *Directory of Employers' Associations, Trade Unions, Joint Organisations, etc.* and for compiling its annual statistics of numbers and membership of trade unions.

Trade Union Independence

A trade union which is on the list of trade unions may apply for a certificate of independence. Chapter 2 discusses independence and explains how such applications are dealt with and their outcome.

The statutory provisions

2.1 Section 5 of the 1992 Act defines an independent trade union as:

"... a trade union which -

- (a) is not under the domination or control of an employer or a group of employers or of one or more employers' associations; and
- (b) is not liable to interference by an employer or any such group or association (arising out of the provision of financial or material support or by any other means whatsoever) tending towards such control".*

2.2 The procedure for determining the independence of trade unions is laid down in section 6 of the 1992 Act. A union must be listed - see Chapter 1 - before it can apply for a certificate of independence. (See Appendix 10 for statutory fee). The Certification Officer must keep a public record of all applications for such certificates and of all decisions reached. He may not take a decision on any application until at least one month after it has been entered in the record and must take into account any relevant information submitted by third parties. He is required to give his reasons if he refuses a certificate of independence and the union concerned has a right of appeal to the Employment Appeal Tribunal.

2.3 The Certification Officer may withdraw a certificate at any time if he is of the opinion that the trade union concerned is no longer independent. As in the case of a refusal, a trade union aggrieved by a decision to withdraw its certificate has a right of appeal to the Employment Appeal Tribunal.

2.4 Where a question as to the independence of a particular union arises in proceedings before the courts, industrial tribunals or certain other bodies, and no certificate has been issued or refused, the Act provides that the proceedings may not continue further until that question has been decided by the Certification Officer.

* In *Squibb UK Staff Association v Certification Officer* ([1979] 2 All ER 452, [1979] IRLR 75, CA) it was held that the word "liable" in this context should be interpreted as implying "vulnerability to interference" rather than "likelihood of interference".

Prison Service trade unions

- 2.5 A court ruling in November 1993 raised doubts as to whether prison service unions were trade unions within the meaning of the 1992 Act. The situation was clarified by the passing of the Criminal Justice and Public Order Act 1994 which, at section 126, declares the unions concerned to be trade unions and to have always been trade unions. That Act also says that in considering the question of the independence of these unions the Certification Officer shall not have regard to specific statutory limitations on the right of prison officers to organise industrial action.

Criteria

- 2.6 The principal criteria used by the Certification Officer in determining whether or not an applicant union, other than in the prison service, satisfies the statutory definition are explained in the Office's booklet *Guidance for trade unions wishing to apply for a certificate of independence* under the following headings: History, Membership Base, Organisation and Structure, Finance, Employer-provided Facilities and Negotiating Record. Copies of the booklet are available on request from the Certification Office. The Certification Officer reaches his decision on the basis of the criteria as a whole and in doing so he is strictly bound by the statutory definition. He is not empowered to take into account other considerations such as the effect the issue of a certificate might have on industrial relations.

Applications

- 2.7 Three applications for certificates of independence were received in 1994. In addition work continued on two applications carried over from the previous year.

Decisions

- 2.8 During the year three certificates of independence were issued, two of which were in respect of applications carried over from the previous year. No applications were refused in 1994. Two applications remained outstanding at the end of the year. Eight certificates were cancelled because the unions concerned had ceased to exist. Mergers accounted for two of these cancellations. One other certificate was cancelled because the union concerned requested removal from the list of trade unions. One certificate was being reviewed as a result of a complaint that the union was no longer independent. Details are given in Appendix 3.

Annual Returns and Accounts

The requirements for trade unions and employers' associations to keep proper accounting records and to submit annual returns to the Certification Officer are set out in this Chapter. It also shows how the changes relating to financial affairs introduced by the Trade Union Reform and Employment Rights Act 1993 took effect in the first year of operation.

The statutory provisions

- 3.1 Sections 28 and 131 of the 1992 Act provide respectively that every trade union and every employers' association (except those which consist wholly or mainly of representatives of constituent or affiliated organisations) must keep proper accounting records in respect of its transactions, assets and liabilities, and must establish and maintain a satisfactory system of control of its accounting records, its cash holdings and all its receipts and remittances. The accounting records kept must be such as are necessary to give a true and fair view of the state of affairs of the organisation and to explain its transactions.
- 3.2 Under sections 32 and 131 of the Act the organisation (unless it has been in existence for less than 12 months) is also required to submit an annual return to the Certification Officer in the form prescribed. The return is to include revenue and other accounts and a balance sheet, which must give a true and fair view of the matters to which they relate. Any changes in the organisation's officers or in the address of its head office, must be shown on the return and it must be accompanied by a copy of the rules in force at the end of the period.
- 3.3 The Act requires annual returns to be submitted before 1 June in each year and to cover the year ending the preceding 31 December. However, the Certification Officer may direct that the return is to relate to a different annual period, and this is usually done if the normal timetable would cause serious inconvenience to the organisation concerned.
- 3.4 The annual return must include a copy of the auditor's report on the accounts. Under section 34 a person is qualified to act as auditor to a trade union or employers' association if he is eligible for appointment as a company auditor under section 25 of the Companies Act 1989. Section 37 of the 1992 Act sets out the rights of auditors including access to information and the entitlement to attend and speak at general meetings of the organisation.
- 3.5 The auditor must state whether, in his opinion, the accounts give a true and fair view of the matters to which they relate. He has a duty to carry out such investigations as will enable him to form an opinion on whether proper accounting records have been kept, whether a satisfactory system of control has been maintained and whether the accounts are in agreement with the accounting records. If in his opinion the statutory requirements have not been satisfied, or

he fails to obtain all the necessary information and explanations, he must say so in his report, by way of qualification.

- 3.6 Provided the period covered is the same and there is no significant diminution in the degree of disclosure, a special register body or an employers' association incorporated under the Companies Acts may submit with its return, in lieu of the prescribed accounts, a copy of its accounts prepared under the Companies Acts and so avoid the duplication of broadly similar financial statements. In such circumstances, however, and notwithstanding anything in the Companies Acts, an auditor's report is still required to be made and this report must comply with the requirements of the 1992 Act.
- 3.7 With the exceptions already noted, the duties imposed by sections 28, 32 and 131 of the Act apply to all trade unions and employers' associations, whether listed under sections 2 or 123 or not. Refusal or wilful neglect to perform any of them is an offence for which the organisation concerned may be prosecuted and fined. The Certification Officer is responsible for enforcing these provisions, but does not undertake prosecutions for such offences as embezzlement or fraud which would be dealt with by the other prosecuting agents under the ordinary criminal law. However, the Certification Officer is able to appoint inspectors to investigate allegations of financial irregularities in the affairs of a trade union or employers' association, and the decision to instigate legal proceedings in such an instance would be a matter for the Certification Officer.
- 3.8 All funds maintained for trade union and employers' association purposes must be included in the return made to the Certification Officer.
- 3.9 The Trade Union Reform and Employment Rights Act 1993 ("the 1993 Act") amended the 1992 Act and provided, amongst other things, that a trade union's annual return to the Certification Officer must contain information about the salaries and benefits paid to its national officers and executive members from the organisation's funds; and that a statement containing specific information must be issued to all the members following the submission of the annual return to the Certification Officer. Powers were also given to the Certification Officer to investigate a trade union's financial affairs either following a complaint from a member or otherwise. This last provision also applies to employers' associations. Further information on the operation of those requirements is set out in the following paragraphs.

Salaries and benefits

- 3.10 Information from the annual returns received from trade unions showed that approximately 54% of unions paid a salary or honorarium to their general secretary. Of these 32% paid over £40,000 and 39% paid between £20,000 and £40,000.
- 3.11 Unions were also required to return details of taxable benefits and superannuation contributions paid to or in respect of union officials. Details of superannuation contributions paid were not automatically returned by all unions as part of the declaration of benefits. However, following correspondence with the Certification Office the unions concerned either stated that superannuation

contributions had not been made or declared the fact of contributions and gave details of the amount involved. One or two unions sought further guidance as to how the contributions should be calculated for the purposes of the declaration. The National Union of Mineworkers challenged the need to provide this information and the matter is currently being pursued with the union and its solicitors.

- 3.12 The following table gives - in the third column - the amount paid in salary to chief officers of the ten trade unions making the largest payments; the fourth column of the table also shows the value of benefits, in practice consisting largely of national insurance and superannuation contributions, in respect of that particular office holder. It is important to remember that pension costs will reflect a number of factors of which the level of benefit provided is only one.

Union	Title	(£) Salary	(£) Benefits including NI contributions
Professional Footballers Association	Chief Executive	158,084	128,729
Royal College of Nursing of UK	General Secretary	71,418	15,803
Association of Teachers and Lecturers	General Secretary	71,270	14,559
British Dental Association	Chief Executive	67,252	6,793
National Union of Teachers	General Secretary	64,680	10,454
Trades Union Congress	General Secretary	60,377*	12,117
Manufacturing Science and Finance Union	General Secretary	57,264	14,416
Engineers and Managers Association	General Secretary	56,822	20,891
NatWest Staff Association	General Secretary	56,174	20,825
Institution of Professionals Managers and Specialists	General Secretary	56,022	16,339

Statement to members

- 3.13 Trade unions are required to ensure that all the members of the union are issued with a statement within eight weeks of the annual return being submitted to the Certification Office specifying:
- (i) the total income and expenditure of the union;
 - (ii) how much of the income consisted of payments in respect of membership;
 - (iii) the total income and expenditure of any political fund of the union, and
 - (iv) the salary and other benefits paid to each member of the executive, the president and the general secretary.

*This figure is the total paid in respect of the two people who held this post in the course of 1993.

The statement must also give the name and address of the auditor, set out in full the auditor's report and should not contain anything which is inconsistent with the contents of the annual return. Members must also be told how they can complain should they be concerned that some irregularity is occurring or has occurred in the financial affairs of the trade union.

- 3.14 The Act is specific about how this must be done; the exact wording of the statement to be issued is reproduced below:

"A member who is concerned that some irregularity may be occurring, or have occurred, in the conduct of the financial affairs of the union may take steps with a view to investigating further, obtaining clarification and, if necessary, securing regularisation of that conduct.

The member may raise any such concern with such one or more of the following as it seems appropriate to raise it with: the officials of the union, the trustees of the property of the union, the auditor or auditors of the union, the Certification Officer (who is an independent officer appointed by the Secretary of State) and the police.

Where a member believes that the financial affairs of the union have been or are being conducted in breach of the law or in breach of rules of the union and contemplates bringing civil proceedings against the union or responsible officials or trustees, he may apply for material assistance from the Commissioner for the Rights of Trade Union Members and should, in any case, consider obtaining independent legal advice."

- 3.15 Over 99% of trade unions submitting annual returns to the Certification Officer have provided members with a statement which meets the provisions of the 1993 Act although many unions had difficulty meeting the required timescale. In some instances the statement provided was deficient but following discussions with the Office it was either re-issued or amendments circulated which ensured that members received a statement meeting the statutory requirements. The Office will endeavour to ensure that this high level of compliance is maintained and the timing of the issue of statements improved.

Financial affairs of trade unions and employers' associations - use of statutory powers

- 3.16 The 1993 Act amended the Trade Union and Labour Relations (Consolidation) Act 1992 in such a way as to allow the Certification Officer to investigate the financial affairs of trade unions and employers' associations. Under the new provisions, the Certification Officer may, if he thinks there is good reason to do so, give a direction to the organisation concerned to produce relevant documents; in addition, he may appoint inspectors to investigate the organisation's financial affairs and to report on them. He may only appoint inspectors if any of the following circumstances are suggested: *that the financial affairs of the trade union or employers' association have been or are being conducted fraudulently or unlawfully; that those managing those affairs have been guilty of fraud, misfeasance or other misconduct in connection with that*

management; that the organisation concerned has failed to comply with a duty under the Act relating to its financial affairs and that a rule of the organisation relating to its financial affairs has not been complied with. A member may complain to the Certification Officer that there are circumstances suggesting any of the foregoing and he must then consider whether it is appropriate to exercise any of the powers conferred on him by the Act in that respect.

- 3.17 During the year the Certification Officer received several approaches from union members voicing concerns about the conduct of the financial affairs of their trade unions. In the main it was possible to resolve the questions informally by correspondence between the Office and one or both of the parties concerned. In one of these enquiries, involving the Transport and General Workers Union, it is understood that the union has placed the matter in the hands of the police and that a prosecution is pending.
- 3.18 A more formal approach was taken in two other cases. In the first the union concerned was the Offshore Industry Liaison Committee and the Certification Officer used his powers under section 37A formally to direct that specific documents should be produced. An examination of these papers and a commitment from the union to make records available to members enabled the Certification Officer to decide that no further action was necessary. In the other enquiry following an interview with one of the members concerned, the union, the Iron and Steel Trades Confederation, was approached and a meeting arranged at the Certification Office to discuss the matters raised. Following explanations from the union a second meeting was held at the union's offices when supplementary information was made available to members of the Certification Officer's staff. It was clear that the union had taken steps to rectify the situation raised by the member. The Certification Officer wrote formally to the union signifying his satisfaction with the steps taken and notified the members concerned accordingly.
- 3.19 In addition to contacts from trade union members the Certification Officer has followed up press reports of financial problems involving two unions, the National Union of Rail, Maritime and Transport Workers (RMT) and the Transport and General Workers Union (T&GWU). Both unions were approached about the allegations in the reports. The RMT supplied documents covering the union's own investigations of the matter. A meeting was held with the Certification Officer at which further material was provided by the union. After consideration of these papers the Certification Officer wrote to the union noting the rapid steps taken to eliminate the problem and stating that as no one had suffered financially and there was no prospect of that type of problem recurring, he was taking the matter no further. The T&GWU was formally directed by the Certification Officer using his powers under section 37A to produce an internal report that had been identified in the press coverage. The union responded fully, enclosing the report and indicating that, of the four officials identified in the report, one had been dismissed, one had resigned, the third demoted and the fourth admonished. A meeting was held at which the union agreed to provide further documents and reports. The matter should be concluded early in 1995.

Financial and Membership Information

This Chapter identifies changes in both trade union membership and expenditure and employers' association income and expenditure between 1992 and 1993.

Returns for 1993

- 4.1 Statistical information derived from the annual returns of trade unions and employers' associations is given at Appendices 4, 5 and 8. *That information and the following comments in this Chapter relate to the year 1993.* This is because the Office's information is derived from the annual returns (which include audited accounts) for 1993 which were submitted during 1994, the year covered by this report.
- 4.2 Appendix 4 shows that at the end of 1993 there were 19 trade unions with over 100,000 members.
- 4.3 Appendix 5 shows that at the end of 1993 there were 28 employers' associations with an annual income of over £1,500,000.
- 4.4 The total of 528 organisations which submitted returns for 1993 was made up as follows:

Listed trade unions	282
Unlisted trade unions	15
Listed employers' associations	124
Unlisted employers' associations	108

Trade unions

- 4.5 A summary of statistics concerning the membership and finances of trade unions for 1993 is given in Appendix 4. Details are shown for each union with over 100,000 members.
- 4.6 *Comparability with 1992 figures.* The statistics in Appendix 4 are based on returns from 297 unions in 1993 compared with returns from 305 unions in 1992. All unions of substantial size are included in both sets of figures, which are therefore broadly comparable.
- 4.7 The trade unions from which returns were received had a total membership of 8,665,944. The major unions with a membership of over 100,000 accounted for 6,850,096 members or 79% of the total.
- 4.8 The returns show that in 1993 total trade union membership fell by approximately 3% from the previous year. The total membership of 8.7 million compares with 13.2 million in 1979.

- 3.20 In all of these cases the Certification Officer has relied on his own powers of investigation under section 37A. He has not so far launched a formal investigation under section 37B. There are no requirements to publish reports on 37A investigations but in significant cases the Certification Officer has written to the union concerned recording the facts and the conclusion of his investigation and has placed a copy of that letter on the publicly available file containing the union's annual returns.

Audit qualifications

- 3.21 Of the 528 returns received this year 24 contained a qualified audit report, which is a reduction of over 30% on the number of qualified returns received last year. The qualifications were mainly of a minor and technical nature and appropriate action was taken to deal with them. One such qualification concerned the failure of some unions and employers' associations to ensure that all branch returns were available at the appropriate time for inclusion in the head office audit. This is a common problem for those organisations with a branch structure and one which the Office appreciates can be difficult to address. However the statutory responsibility rests with the main body to ensure that branches keep proper accounting records and forward their accounts in time for inclusion in the central audit.

Late submission of returns

- 3.22 The 1992 Act requires an organisation to submit an annual return to the Certification Officer within five months of the year end (para 3.3). In 1994 approximately 18.5% of returns were submitted over two months late; however by the end of the year 94.5% had been received. The returns from trade unions covered 99.9% of all trade union members. The Office continues to seek stricter compliance with the statutory requirements, and will take steps to improve the performance of persistent offenders.

Public inspection of annual returns

- 3.23 Copies of the annual returns and the rules of trade unions and employers' associations from 1974 onwards are available for public inspection at the Certification Office or, where appropriate, the Office of the Assistant Certification Officer for Scotland.

4.9 The following table shows changes of 10,000 or more in the total membership of individual unions between December 1992 and December 1993:

Changes in Trade Union Membership

	<i>Total Membership (000's)</i>		
	1992	1993	Changes
Increases			
National Union of Teachers	214	232	+ 18
National Association of School Masters and Union of Women Teachers	191	207	+ 16
GMB	799	809	+ 10
Decreases			
Transport and General Workers Union	1,037	949	- 88
Amalgamated Engineering and Electrical Union	884	835	- 49
Manufacturing Science and Finance Union	552	516	- 36
Union of Construction Allied Trades and Technicians	157	136	- 21
Graphical Paper and Media Union	270	250	- 20
National Union of Rail Maritime and Transport Workers	105	86	- 19
Union of Shop Distributive and Allied Workers	316	299	- 17
National Union of Mineworkers	94	78	- 16
Banking Insurance and Finance Union	154	141	- 13
National and Local Government Officers Association	764	754	- 10

Membership figures

4.10 The annual return submitted by unions to the Certification Officer requires the union to provide figures of both total membership and of members who pay contributions. In the case of eight large unions there was a significant difference between these sets of figures as shown in the table below. The total number of contributing members in these unions was 561,449, (or 17%) less than the total number of members.

<i>Membership</i>		
	<i>Total Membership</i>	<i>Contributing Members</i>
Union of Construction Allied Trades and Technicians	135,878	127,858
National Union of Teachers	232,243	182,644
Graphical Paper and Media Union	250,230	166,045
Manufacturing Science and Finance Union	516,000	436,608
Amalgamated Engineering and Electrical Union	835,019	631,692
Association of Teachers and Lecturers	161,602	136,645
Transport and General Workers Union	949,107	905,586
National Association of Schoolmasters and Union of Women Teachers	206,829	138,381

4.11 The reasons for these differences vary between unions. In the case of the three teaching unions shown the total membership figure included student teachers and newly qualified members and those on career breaks who do not pay subscriptions. The total membership figures for the other five unions listed above include retired and unemployed members and members on long term sick and maternity/child care leave.

Finance

4.12 *Income.* Trade union income derives mainly from membership subscriptions and income from investments. There may also be additional income and/or assets arising if, for example, a union accepts the transfer of engagements of another union.

4.13 In 1993 the gross income of trade unions was £616 million a decrease of 1.1% over 1992. Income from members fell from £517.8 million to £498.8 million, a 3.7% decrease. Investment income fell from £44.8 million to £36.4 million.

4.14 *Expenditure.* Gross expenditure rose from £601.1 million in 1992 to £602.3 million in 1993.

4.15 *Funds.* The figures given in Appendix 4 include both general funds and others where applicable, eg. contingency, superannuation and political funds.* At the end of 1993 total funds (net assets) of trade unions amounted to £688.7 million, a decrease of 0.7% over the previous year's figure.

Employers' associations

4.16 A summary of statistics concerning the membership and finances of employers' associations for 1993 is given in Appendix 5. Details are given for each association (including unlisted associations) with total income of more than £1,500,000.

4.17 *Comparability with 1992 figures.* The statistics in Appendix 5 are based on returns from 232 employers' associations compared with returns from 245 associations for 1992. The largest employers' associations, as measured by total income, are included in both sets of figures which are therefore broadly comparable.

4.18 *Income and Expenditure.* In 1993 the gross income of employers' associations was £201.6 million compared with £180.1 million in 1992, an increase of 11.9%. Income from members fell from £95.9 million to £94.2 million. Income from investments fell from £12.5 million to £11.9 million. Gross expenditure increased from £168 million to £179 million (6.5%).

4.19 *Funds.* The figures given in the Appendix include both general funds and, where applicable, funds maintained for specific purposes. At the end of 1993 total funds (net assets) of employers' associations amounted to £150.7 million an increase of £17.7 million (13.3%) over the previous year's figure.

Superannuation Schemes

It is a legal requirement that any superannuation scheme maintained by a trade union or an employers' association covering members must be subject to periodic actuarial examination and that a copy of the actuary's report must be sent to the Certification Officer. An explanation of the statutory provisions is given in this Chapter together with information on the number of schemes maintained and the number of reports received.

The statutory provisions

5.1 Sections 38-42 and 131 of the 1992 Act require that any superannuation scheme maintained by a trade union or employers' association* covering members (as opposed to staff) must be examined periodically by a qualified actuary and a copy of each actuarial report sent to the Certification Officer. The actuarial examination is required to be made not later than five years after the effective date of the preceding examination, but the Certification Officer has power to direct that in any particular case the period of five years may be reduced to such shorter period as he may specify. The Certification Officer also has power to exempt a members' superannuation scheme from actuarial examination in certain circumstances. No trade union or employers' association may maintain a members' superannuation scheme unless it also maintains a separate fund for the payment of benefits in accordance with the scheme. A copy of the actuarial report made under the above provisions must be supplied free of charge to any member of the trade union or employers' association on application to the organisation concerned.

5.2 The statutory provisions require that the report by the actuary following his examination of any scheme shall state whether in his opinion the premium or contribution rates are adequate, whether the accounting or funding arrangements are suitable, and whether the separately maintained superannuation fund is adequate. The Office continues to ensure that these requirements are not overlooked.

Schemes maintained

5.3 At the end of the year there were 20 members' superannuation schemes maintained by 12 trade unions. They are listed in Appendix 6 and are mostly small schemes with only four having assets of over £250,000. The Amalgamated Engineering and Electrical Union and the National Union of Rail Maritime and Transport Workers are the only unions with a scheme covering more than 25,000 pensioners. The Graphical Paper and Media Union has confirmed that following a ballot of members the NGA London Region (LTS) scheme was wound up at the end of July 1994.

*Separate figures for political funds are given in Appendix 8.

*In practice the requirements affect trade unions only; the Office is not aware of any schemes maintained by employers' associations.

- 5.4 The Certification Officer may grant exemption from actuarial examination on the grounds that the scheme is only applicable to a small number of members or for any other special reasons; eight schemes are currently exempt.

Reports: 1994

- 5.5 Of the six reports due in 1994 two have been received, one from the Manufacturing Science and Finance Union and one from the National Union of Knitwear Footwear and Apparel Trades. Three of the reports outstanding were due from the Graphical Paper and Media Union in respect of the former National Graphical Association element of that union and the other was from the National Union of Flint Glass Workers. The Office is in contact with the unions concerned and expects the reports to be submitted shortly.

Mergers

Mergers between trade unions and between unincorporated employers' associations must be carried out under the relevant statutory procedures; these procedures also allow for members to complain to the Certification Officer about particular aspects of the balloting process. This Chapter details the statutory background together with the number of merger applications and complaints received during the year. Appendix 7 lists the mergers registered during 1994.

The statutory provisions

- 6.1 The 1992 Act and the Trade Unions and Employers' Associations (Amalgamations, etc.) Regulations 1975, as amended, lay down procedures governing two types of merger - *transfers of engagements* and *amalgamations* - between trade unions and between unincorporated employers' associations. The procedures apply to listed and unlisted organisations. Their main purposes are to facilitate the processes of transfer and amalgamation and, at the same time, to safeguard the rights of members affected by the terms of a merger by ensuring that they are fully informed about the proposal and have the opportunity to vote on it.
- 6.2 Under a *transfer of engagements* the transferring organisation ("the transferor") loses its legal identity whilst the organisation to which it transfers ("the transferee") continues in being with its legal identity unchanged. An *amalgamation* produces a new organisation replacing each of the amalgamating bodies, which cease to exist.
- 6.3 Organisations proposing to enter into a transfer of engagements or an amalgamation must prepare an instrument setting out the proposed terms of the merger and an explanatory notice to members. They must submit these documents to the Certification Officer and the documents must have his approval before a ballot of members can be held to approve the instrument. (See Appendix 10 for statutory fee).
- 6.4 Ballots must be fully postal and subject to independent scrutiny. The inclusion in the notice to members of any statement making a recommendation or expressing an opinion about a proposed amalgamation or transfer is prohibited; also, the voting paper sent to a member may not be accompanied by any material other than the notice to members, an addressed envelope and a document giving instructions for the return of the ballot paper. Other requirements relate to the storage, distribution and counting of votes by independent persons and the availability of a union's membership register and the circumstances of its inspection by an independent scrutineer.
- 6.5 In a transfer of engagements only the members of the transferor organisation vote on the resolution to approve the instrument. An amalgamation requires a favourable vote by the members of each amalgamating organisation. If the required majority of votes recorded in each ballot is in favour of the merger an

application to register the instrument may be made to the Certification Officer following the despatch of a copy of the scrutineer's report to every member of the union or their being notified of its contents by other means.

- 6.6 In the case of both a transfer and an amalgamation an interval of six weeks must elapse between the application for registration and registration itself; and before the expiry of the six-week period any member of the transferor organisation or of any amalgamating organisation may complain to the Certification Officer on the grounds that one or more of the statutory conditions governing the ballot arrangements have not been observed. The Certification Officer may dismiss the complaint or, if after hearing both sides he finds the complaint justified, he may either make a declaration but no order, or make an order specifying the steps which must be taken before he will register the instrument. There is a right of appeal against the Certification Officer's decision to the Employment Appeal Tribunal on a question of law.
- 6.7 Formal documents kept by the Certification Officer relating to mergers under the 1992 Act are available for public inspection. (See Appendix 10 for statutory fee).

Guidance

- 6.8 The Office has produced two booklets, one on the statutory requirements for transfers of engagements and amalgamations between trade unions and the other for employers' associations. These explain the merger procedures in detail and set out, with explanatory notes, the matters to be included in an instrument of transfer or amalgamation. Copies may be obtained free of charge from the Office. The Office will offer guidance where needed on the statutory provisions and staff are always prepared to meet officials of organisations proposing to merge to discuss procedures and timetables.

Mergers: 1994

- 6.9 During 1994 there were two transfers of engagements involving trade unions, and two amalgamations of employers' associations, using the procedures laid down by the Act. Details are given in Appendix 7.
- 6.10 The two mergers of trade unions which took place during the year involved a total of 70,782 members. One amalgamation and three proposed transfers of engagements involving trade unions were in progress at the end of the year.

Complaints

- 6.11 In the last few days of 1993 complaints were received from 48 members of the British Association of Colliery Management (BACM) about the ballot in relation to the proposed merger of BACM with the Engineers and Managers Association. Early in the new year the Certification Officer dismissed the complaints without a hearing. The decision is summarised below. The Certification Officer also received three complaints from a member of the National Union of Mineworkers (Yorkshire Area) about the conduct of the ballot on the proposed merger with the National Union of Mineworkers (NUM). After a formal hearing, the Certification Officer dismissed two of the

complaints; he upheld the third and, as a consequence, issued an order that a fresh ballot should be held. The decision is summarised below.*

Complaints against BACM

- 6.12 Forty-eight separate complaints were received from members of BACM stating that in exercising their vote in the proposed merger with the Engineers and Managers Association, they had been subjected to influence in favour of the merger through the medium of a letter from the BACM President. Their central allegation was that the letter in recommending members to support the merger interfered with and constrained their voting and consequently breached the statutory requirements.
- 6.13 The merger ballot was conducted under the requirements of the Trade Union and Labour Relations (Consolidation) Act 1992 before it was amended by the Trade Union Reform and Employment Rights Act 1993. It was established that the President's letter was circulated quite separately from the voting papers and thus did not infringe either the pre 1993, or current, statutory requirements regarding the notice to be given to members as alleged by the complainants. In considering the allegations that the President's letter constituted "interference or constraint" on members the Certification Officer, in line with previous decisions, took the view that the phrase was meant to exclude such conduct as would intimidate or put a member in fear of voting or amount to physical interference. The Certification Officer considered that the President's letter did not meet this test and was no more than an attempt to exercise reasonable persuasion. Therefore the complaints were dismissed. (Decision No. CO/1964/12).
- 6.14 Subsequently, BACM indicated that it wished to withdraw from the proposed merger. The Certification Officer considered that the process had passed the stage at which one of the parties could unilaterally withdraw and indicated his belief that, all of the other statutory processes having been completed, he was bound to register the instrument. As well as obtaining leave to seek judicial review of the Certification Officer's decision an interlocutory order was also granted preventing registration of the merger until the outcome of the proceedings was known. Full trial of the issue was yet to take place.

Complaint against NUM (Yorkshire Area)

- 6.15 A member of the National Union of Mineworkers (Yorkshire Area) complained on three separate issues about the conduct of the ballot on the proposed transfer of engagements of the Yorkshire Area to the National Union of Mineworkers. These were that non-members had been allowed to vote in the ballot; that members were subject to interference in the exercise of their vote; and that not all members were given the opportunity to vote.
- 6.16 The complaints were considered at a formal hearing in May 1994. On the first complaint it was alleged that members at particular pits in the Yorkshire Area who had accepted voluntary redundancy were issued with ballot papers in spite of the fact that the NUM NEC had ruled that such members could not be full

*Copies of decisions can be obtained from the Certification Office.

members of the union and most had left the union. The union argued that they had done everything they could to limit voting to those who were members at the time of the ballot. As neither the complainant nor the union were able to produce substantive evidence to support their respective positions the Certification Officer felt that it would be unsafe to conclude that non-members were allowed to vote and the complaint was dismissed.

- 6.17 The second complaint had two elements. It was alleged that an open letter to members from the NUM National President and National Vice-President advocating a vote in favour of the transfer constituted interference in the ballot in that it was circulated at the same time as the ballot material and was not an accurate statement of the merits of the merger. Also it was alleged that a threat of disciplinary action against any member campaigning against the transfer constituted interference or constraint in voting.
- 6.18 It was agreed by the parties that the open letter had not been included with the ballot paper but would have been delivered to members at or about the same time. The Certification Officer took the view that, as it stood, the letter did not meet the test of interference with the entitlement to vote used by himself and his predecessors, in that it was not conduct that would intimidate, or put a member in fear of voting or amount to physical interference. On the question of whether the letter contained false statements, the Certification Officer supported the view expressed by one of his predecessors that a statement made to persuade members to vote one way or another, even when exaggerated, misleading or inaccurate, does not amount to interference or constraint. In this case although the letter fell short of giving the full truth any element of misleading that might be involved did not constitute interference or constraint.
- 6.19 Evidence of disciplinary action against a member for campaigning against the transfer was produced in respect of an Area Agent and Assistant General Secretary. The union stated that the action taken was for failure to carry out instructions and to adhere to Area Council and Executive policy; that actions of officials are governed by rule and that the rules explicitly state that Area Executive decisions are binding. It was established that the action against the official concerned had been initiated after the ballot and no other instances were produced of a member being disciplined or threatened with disciplinary action for opposing the transfer. In the circumstances the Certification Officer found no evidence to support the complaint that threats of disciplinary action were used to intimidate or otherwise interfere or constrain members in their voting on the transfer resolution.
- 6.20 In making the third of his complaints the complainant alleged that a particular category of member - that of Limited Member - had been excluded from the opportunity to vote in the merger ballot. The issue of whether such members were "members" for the purposes of the Act had previously been considered by the Certification Officer as a preliminary to the hearing of a complaint under section 55 of the 1992 Act and decided in the affirmative principally on the grounds that Limited Members subscribed to the union and satisfied the definition of "worker" within the meaning of the Act.* The union accepted that

Limited Members had not been accorded a vote but argued that such members participated in the union's affairs only to a minimal extent and were excluded by rule from voting in matters normally decided in that way. Further, it was suggested that the term "member" could be taken to mean different things in applying different parts of the Act.

- 6.21 The Certification Officer ruled that Limited Members were members for the purposes of section 100B of the Act and should have been included in the ballot. In coming to that view he relied largely on the grounds in his previous decision and also indicated that in any case their degree of attachment to the union meant that they were members for the purposes of the Act. Having reached the decision he, accordingly, gave a declaration to that effect. He heard the parties on what remedies might be appropriate and, after the hearing, issued an order. This specified that he would not accept an application for registration of the instrument of transfer until a fresh ballot which approved the proposal had been conducted. The ballot was to be based on a register of members as at a named date, should include both current full and limited members and specifically exclude non-members. (Decision No. CO/1964/13).
- 6.22 The fresh ballot took place between 23 June and 5 July 1994 and the resolution was approved. The registration of the instrument took place on 17 August 1994. Subsequently the NUM appealed to the Employment Appeal Tribunal against the Certification Officer's decision. The case was heard on 11 November 1994. A judgement overturning the Certification Officer's decision on a point of law was issued on 30th January 1995.

Changes of name

- 6.23 Section 107 of the 1992 Act stipulates that a change of name of a listed trade union or employers' association must be approved by the Certification Officer before it can take effect. (See Appendix 10 for statutory fee). During 1994 approval was given to the changes of name of nine trade unions and three employers' associations as shown below:

Trade Unions	Effective Date
From Hyde and District Loom Overlookers Association To Hyde and District Textile (Technicians and Operatives Association)	11.1.94
From The Blackburn and District Amalgamated Power Loom Overlookers Association To Amalgamated Power Loom Overlookers Association	9.2.94
From Britannia Building Society Staff Association To Britannia Staff Association	8.4.94
From The Halifax Building Society Staff Association To The Independent Union of Halifax Staff	21.4.94

*See Chapter 9 - (D/3-4/94).

<i>From</i> Staff Association of Bank of Baroda (European Operations)	
<i>To</i> Staff Association of Bank of Baroda (UK Region)	27.7.94
<i>From</i> Rank Hotels Staff Association	
<i>To</i> Royal Lancaster Hotel Staff Association	8.8.94
<i>From</i> Association of British Dental Surgery Assistants	
<i>To</i> British Association of Dental Nurses	12.9.94
<i>From</i> Abbey National Staff Association	
<i>To</i> ANSA	19.10.94
<i>From</i> Society of Union Employees (NUPE)	
<i>To</i> Society of Union Employees (UNISON)	8.11.94
Employers' Associations	
<i>From</i> British Textile By-Products Association	
<i>To</i> British Textile Fibres Association	13.5.94
<i>From</i> British Paper and Board Industry Federation Ltd	
<i>To</i> Paper Federation of Great Britain Limited	23.5.94
<i>From</i> British Scrap Federation	
<i>To</i> British Metals Federation	17.6.94

Political Funds

The 1992 Act enables trade unions and unincorporated employers' associations to establish separate funds in furtherance of political objectives as part of their aims. Under the terms of the Act a resolution to adopt the political objects must be passed by a ballot of the members. The Certification Officer is the statutory authority for approving the establishment and continuance of such funds. This Chapter explains the statutory provisions and reports developments in 1994.

The statutory provisions

(a) General

- 7.1 A trade union or an unincorporated employers' association (whether listed or not) can include the furtherance of political objects among the objects of the organisation. In which case it must adopt political fund rules providing for the expenditure of funds on such objects. Those rules must be approved by the Certification Officer. A resolution to adopt political objects must be passed by the members in a postal ballot held under rules which again require approval by the Certification Officer. An independent scrutineer must be appointed by the union to oversee the requirements of the ballot.

(b) Exemptions

- 7.2 It is a statutory requirement that members who notify their objection to contributing to the political fund must be exempted. These exempt members must not be excluded from any benefits of the organisation or placed under any disability or disadvantage compared with other members (except in relation to the control or management of the political fund). Also, contribution to the political fund must not be made a condition for admission to the organisation.
- 7.3 Members wishing to claim exemption should use an approved application form as laid down in the Act or in a form to the same effect. Unless contributions to the political fund are collected by a separate levy, exempt members of the organisation must be relieved from the payment of the political fund element of the normal periodical contributions. The rules must provide for such relief to be given as far as possible to all exempt members on the occasion of the same periodical contribution. They must also provide for each member to know what portion, if any, of his contribution is a contribution to the political fund.

(c) Complaints

- 7.4 Any member of a trade union with a political fund who considers that the political fund rules have been breached may complain to the Certification Officer. If, after investigating the complaint the Certification Officer considers that a breach has occurred, he may under the Act make an order for remedying it. Any appeal against the decision of the Certification Officer may be made to the Employment Appeal Tribunal on a question of law.

- 7.5 A trade union member can complain to the Certification Officer if a political fund ballot has been held, or is proposed to be held, in a way that does not comply with the rules for holding the ballot. Any complaint must be made within the period of one year beginning with the day on which the result of the ballot is announced by the union.

(d) *Review ballots*

- 7.6 Trade unions and employers' associations which already have a political fund resolution in force and wish to continue to spend money on political objects are required to pass a political fund resolution again by a further ballot of their members (a review ballot) at least once every ten years. The review ballot must be held in accordance with rules approved by the Certification Officer.

Guidance on procedures

- 7.7 On request, the Office gives advice on the procedures for establishing political funds and for holding review ballots. Guidance booklets which include model rules are available from this Office free of charge. Any trade union or employers' association wishing to ballot its members on a political fund resolution should contact the Office at an early stage.

Organisations with political fund rules approved for the first time during 1994

- 7.8 No trade union had political fund rules approved for the first time during 1994.

Amalgamations of unions already holding a political fund

- 7.9 Where two or more trade unions, each qualified to operate a political fund, amalgamate, the amalgamated union will be treated under the provisions of section 97 of the 1992 Act as having passed a political fund resolution, provided that the rules of the union in force immediately after the amalgamation include political fund rules. The review ballot cycle (see paragraph 7.6) of such a newly constituted union will count from the earliest of the political fund review dates of the amalgamating unions involved.

Political fund resolutions in force

- 7.10 The number of political fund resolutions in force at 31 December 1994 was 46. The 45* trade unions concerned are indicated in Appendix 1. During the year eleven unions held review ballots as required by section 73(3) and (4) of the Act. The unions were:

Associated Society of Locomotive Engineers and Firemen
Bakers Food and Allied Workers Union
Communication Managers Association
GMB
Graphical Paper and Media Union
Iron and Steel Trades Confederation
National League of the Blind and Disabled

National Union of Rail Maritime and Transport Workers
Transport and General Workers Union
Transport Salaried Staffs Association
Union of Textile Workers

In each case the maintenance of a political fund was approved by the members.

As at 31 December 1994 there were no employers' associations maintaining political funds.

Political funds of trade unions at 31 December 1993

- 7.11 Detailed statistical information about the political funds of trade unions is derived from the unions' annual returns. The latest available information is given in Appendix 8, which is derived from returns made by trade unions maintaining political funds at the end of 1993.

- 7.12 Annual returns showed the total income of political funds as £13.7 million in 1993 compared with £15.5 million in 1992, and expenditure £12.9 million as compared with £19.0 million. Total funds at the end of 1993 were £15.5 million compared with £14.6 million at the end of 1992.

Political fund membership

- 7.13 Appendix 8 also gives membership information provided by the unions which maintained political funds at 31 December 1993 and shows comparable information for unions with political funds at 31 December 1992. Annual returns showed that in 1993 the number of union members contributing to a political fund was 5,407,760 compared with 5,578,568 in 1992.

Exemption notices

- 7.14 Exemption notices (see paragraph 7.3) are obtainable from the organisation concerned or from the Certification Office. The Office supplied 18 such notices during 1994.

Amendments to rules

- 7.15 Amendments to political fund rules require the Certification Officer's approval. Such approval is given provided that the amendments have been adopted in accordance with, and satisfy the requirements of, the 1992 Act. No trade unions had amendments approved in this way in 1994.

- 7.16 Unions have been told that the Certification Officer is unwilling to give approval after 31 December 1995 to any amendments to political fund rules unless they already contain the current political objects, as given in section 72(1) of the 1992 Act, or the proposed amendments include an amendment to the political objects. Unions must also amend any references to the 1913 Act in the political fund rules. These changes are designed (following in part from the decision reported in the next paragraph) to ensure that members have ready access to the rules governing the use of political funds.

*Within the National Communications Union, the Engineering Group and the Clerical Group each has a Political Fund.

Political fund complaints

7.17 During 1994 a complaint was heard by the Certification Officer under section 82(2) of the 1992 Act. This complaint involved the Iron and Steel Trades Confederation. The Certification Officer upheld, in part, complaints that the union was in breach of the Act in that certain payments in furtherance of political objects of the union had been made out of the general rather than the political fund of the union. The complaint focused on salaries and expenses paid to union employees assisting candidates for election to public office. The Certification Officer held that the salaries were part of the ordinary administrative expenses of the union and did not therefore form a charge on the political fund but that the expenses, which would not have been incurred without the political activities should have been charged to the political fund. (Decision CO/1913/13). Further complaints involving two other unions were under consideration at the end of the year.

7.18 Copies of decisions are available from the Certification Office free of charge.

Funds for Trade Union Ballots

The 1992 Act provides for a scheme to be made for independent trade unions to claim refund from the Certification Officer for certain costs of holding secret postal ballots for specified purposes held before 1 April 1996. Detailed conditions for administering the scheme are laid down in regulations. Chapter 8 outlines which ballots qualify for assistance and shows a fall in the level of payments compared with 1993.

The statutory provisions

8.1 Under a statutory scheme the Certification Officer is permitted to refund certain costs incurred by independent trade unions in holding secret postal ballots for specified purposes. The conditions to be observed are laid down in the Scheme.*

Future of the Scheme

8.2 In February 1993 the Government decided that the statutory scheme should be phased out over a period of three years starting in April 1993. In the year April 1993 to March 1994 75% of each qualifying claim under the scheme would be refunded and in 1994/95 and 1995/96 the levels will be reduced to 50% and 25% respectively. The scheme will cease to operate for ballots held on or after 1 April 1996.

Qualifying purposes for the residual Scheme

8.3 The Regulations provide that *in order to qualify for refund of certain costs* the ballot must be held for one or more of the following purposes:

- (i) obtaining a decision or ascertaining the views of members of a trade union as to the calling or ending of a strike or other industrial action;
- (ii) carrying out an election either under the rules of the union, or to satisfy legislative requirements, to the position of president, chairman, secretary or treasurer of the union, or member of the union's principal executive committee by whatever name it is known, or to any position which the person elected will hold as an employee of the union;
- (iii) amending the rules of a trade union;
- (iv) obtaining a decision on a resolution to approve an instrument of amalgamation or transfer;
- (v) obtaining a decision on a political fund resolution (this applies only in cases where a political fund resolution is already in force, that is to say, only in respect of a political fund review ballot);

*The Funds for Trade Union Ballots Regulations 1984 (SI 1984 No. 1654) as subsequently revised to take account of certain changes in the law made by the Employment Act 1988 (SIs 1988 No. 1123 and No. 2116), The Employment Act 1990 (SI 1990 No. 2379), and the Funds for Trade Union Ballots Regulations (Revocation) Regulations 1993 (SI 1993 No. 233). The Above Regulations are drawn up by authority given in Section 115 of the 1992 Act.

- (vi) obtaining a decision or ascertaining the views of members of a trade union as to the acceptance or rejection of a proposal made by an employer which relates in whole or in part to remuneration, hours of work, level of performance, holidays or pensions.

Conditions

- 8.4 An application for refund will be payable if the ballot is secret and postal and if it is held for one or more of the qualifying purposes. Payments are conditional on the Certification Officer being satisfied that all relevant statutory requirements have been complied with. The ballot must also satisfy certain detailed conditions set out in the Regulations some of which are applicable to all ballots whilst others are applicable only to particular ballots. The Certification Officer may not make any payments under the Scheme if he considers that any of the conditions have not been met or if any assurances asked for about observance of the conditions have not been given by the trade union concerned.

Time limits and guidance

- 8.5 Applications under the Scheme must be made within six months of the end of the voting period. The procedure for making an application is set out in the Office's booklet *Guidance for trade unions applying for refund of costs of a secret postal ballot* which is available from the Certification Office free of charge.

Applications

- 8.6 During 1994, 69 unions made applications for refund in respect of 1,469 ballots. This compares with 70 unions which made applications in respect of 380 ballots in 1993. Since the inception of the ballot refund scheme approximately 40% of listed trade unions have made claims for refund.
- 8.7 The Certification Officer made payments in respect of 596 ballots for which applications were made during the year. He also made payments in respect of 90 ballots for which applications were outstanding at the beginning of the year. He was unable to make payments in respect of 23 ballots which failed to meet the provisions of the Scheme. Applications for 16 ballots were withdrawn.
- 8.8 Apart from the statutory deductions referred to in paragraph 8.2, in 51% of the cases where a payment was made the amount refunded was less than the total applied for. Common reasons for reductions by the Certification Officer were: the claim included items outside the scope of the Scheme eg. scrutineers' fees, nomination forms, result sheets and election literature other than that enclosed with voting papers; ineligible postal costs; excessive printing and stationery costs.
- 8.9 The Certification Officer made payments during the year totalling £1,899,955 (as compared with £3,382,803 in 1993). £718,984 of this fall is accounted for by the reduction of claims to the 75% or 50% level provided for in the phasing-out regulations. The recipients of payments are listed in Appendix 9.

Secret Postal Ballots for Trade Union Elections

The 1992 Act requires that members of a trade union's executive committee must be elected to it by secret postal ballot; if they remain in that position for more than five years they must be re-elected. Unions must also maintain a register of members and keep it up to date.

The statutory provisions

- 9.1 Trade unions must ensure that no-one takes up a position as a member of the union's executive committee, President or General Secretary without having been elected to it, or remains in that position for more than five years without having been re-elected to it. There is a limited exception in respect of officers facing retirement. Elections are required to be by secret postal ballot of the members of the union, conducted in accordance with the relevant conditions in the 1992 Act. In addition, every trade union must maintain a register of its members' names and addresses and, as far as reasonably practicable, keep the entries accurate and up-to-date.
- 9.2 Individual trade union members have the statutory right to apply to the Certification Officer, or to the High Court, for a declaration that their trade union has failed to comply with one or more of the relevant provisions of the Act. Where such an application is made, the Certification Officer will make such enquiries as he thinks fit and, where he considers it appropriate, give the applicant and the trade union an opportunity to be heard, before he makes a decision on the complaint. In certain circumstances, expenses incurred by persons attending complaint hearings can be reimbursed by the Office.
- 9.3 If the Certification Officer decides that there has been a breach of the statutory provisions he may take into account steps or proposed steps, taken by the union to remedy the breach. Additionally the Certification Officer must give reasons for his decision in writing and such reasons may be accompanied by written observations on any matter arising from, or connected with, the proceedings.
- 9.4 Making a complaint to the Certification Officer does not prevent the applicant, or any other person, from making a subsequent application to the Court in respect of the same matter. Where a subsequent application is made, the Court is required to have due regard to any declaration, reasons or observations of the Certification Officer which are brought to the notice of the Court.

Applications, investigations and decisions

- 9.5 The Certification Officer issued eight decisions during 1994. Consideration of one further complaint is continuing.

Declarations and noteworthy decisions

9.6 Of the eight decisions issued in 1994 the following are noteworthy:-

- (i) In a complaint about a candidate's election address, the Certification Officer interpreted the legislative requirement that an election address be in the candidate's "own words" as being to ensure that the candidate, and no other person, chooses the words which are used in the election address. However this provision does not prevent a candidate from choosing someone else's words written on his behalf. This decision was in respect of the Union of Shop, Distributive and Allied Workers. (Decision D/1-2/94).
- (ii) In respect of a complaint about the National Union of Mineworkers (Yorkshire Area), it was ruled that (i) a "Limited Member" of the union was entitled to bring the complaint and (ii) the principal committee of the union exercising executive functions had not been elected in accordance with the Act. (Decision D/3-4/94).
- (iii) In a decision involving the Civil and Public Services Association the Certification Officer ruled that the results of the 1993 elections for the President, Vice Presidents and Ordinary Members of the National Executive did not satisfy the requirements of the Act. He also ruled that the full details of the scrutineer's report were not made available to members and the statement advising members that a copy of the report would be provided on request, was omitted from the report. (D/4/94). The Certification Officer upheld similar complaints against the CPSA in regard to the 1994 elections when scrutineer's reports were not issued on time and some results were announced before scrutineer's reports were available. (Decision D/8/94).
- (iv) In a decision concerning the Offshore Industry Liaison Committee the Certification Officer declared that the OILC had failed to appoint a qualified independent person to act as scrutineer in the election (which was uncontested) of its Organising Committee which was in breach of section 49(1) of the Act. In issuing this decision the Certification Officer observed that while in these circumstances the scrutineer's report would be largely vacuous the requirement to tell members about the appointment of a scrutineer was the only (and indirect) way of telling members that there was an election. Similarly in the absence of any requirement to have a nomination procedure the scrutineer's report provided some, albeit very limited, assurance in an uncontested election that no candidate had been unreasonably excluded from standing. (Decision D/7/94).

9.7 Copies of all decisions are available free of charge from the Certification Office.

Appendix 1

(see paragraph 1.7)

List of Trade Unions at 31 December 1994

Notes:

Trade unions first entered in the list during 1994 are shown in italics.

*Denotes a trade union holding a certificate of independence at 31 December 1994.

#Denotes a trade union which has been refused a certificate of independence.

(P) Denotes a trade union with a political fund resolution in force at 31 December 1994.

England and Wales

- *Alliance and Leicester Building Society Staff Association
- *Amalgamated Association of Beamers Twisters and Drawers (Hand and Machine)
- *Amalgamated Engineering and Electrical Union (P)
- *Amalgamated Power Loom Overlookers Association
- *ANSA
- Artists Union
- *Associated Metalworkers Union
- *Associated Society of Locomotive Engineers and Firemen (P)
- *Association for College Management
- *Association of Cambridge University Assistants
- *Association of Clinical Biochemists Limited
- *Association of Educational Psychologists
- *Association of First Division Civil Servants
- #Association of Football League Referees and Linesmen
- *Association of Her Majesty's Inspectors of Taxes (P)
- *Association of Licensed Aircraft Engineers (1981)
- *Association of Local Authority Chief Executives
- *Association of Magisterial Officers
- Association of Management and Professional Staffs*
- Association of Plastic Operatives and Engineers
- *Association of Principal Fire Officers
- *Association of Professional Ambulance Personnel
- *Association of Professional Music Therapists in Great Britain
- *Association of Public Service Finance Officers
- Association of Somerset Inseminators
- *Association of Teachers and Lecturers
- *Association of University and College Lecturers
- *Association of University Teachers (P)

Association of Vice-Principals of Colleges
 *Audit Commission Staff Association
 *Bakers Food and Allied Workers Union (P)
 Balfour Beatty Group Staff Association
 *Banking Insurance and Finance Union
 *Barclays Group Staff Union
 Birmingham Union of Club Stewards
 *Bradford and Bingley Building Society Staff Association
 *Britannia Staff Association
 *Britannic Field Staff Association
 *British Actors Equity Association incorporating the Variety Artistes Federation
 *British Aerospace Senior Staff Association
 *British Air Line Pilots Association
 British Association of Advisers and Lecturers in Physical Education
 *British Association of Colliery Management
 *British Association of Dental Nurses
British Association of Journalists
 *British Association of Occupational Therapists Limited
 *British Dental Association
 *British Dietetic Association
 British Hospital Doctors Federation
 *British Medical Association
 *British Orthoptic Society
 *British Union of Social Work Employees
 *Broadcasting Entertainment Cinematograph and Theatre Union (P)
 *Cabin Crew 89
 *Card Setting Machine Tenters Society
 *Ceramic and Allied Trades Union (P)
 *Chartered Society of Physiotherapy
 *Cheshire Building Society Staff Association
 Church and Oswaldtwistle Power-Loom Overlookers Society
 *Civil and Public Services Association (P)
 #Clerical Medical and General Staff Association
 College of Health Care Chaplains
 *Commercial Union Group Staff Association
 *Communication Managers Association (P)
 *Community and Youth Workers Union
 *Corporation of London Staff Association
 Council of Civil Service Unions
 *Derbyshire Building Society Staff Association
 #Dexion Staff Association
 *Diplomatic Service Association
 *Directors Guild of Great Britain

Eagle Star Staff Union (1988)
 Electrical and Plumbing Industries Union (P)
 *Ellington Branch of the North East Area of the National Union of Mineworkers
 *Engineering and Fasteners Trade Union
 *Engineering Craft Association
 *Engineering Officers Technical Association
 *Engineers and Managers Association —
 English Estates Staff Union
 *Federated Union of Managerial and Professional Officers
 Federation of Professional Organisations (PT "A" Whitley Council)
 *Federation of Professional Railway Staff
 *Film Artistes Association
 Financial Services Staff Federation
 *Fire Brigades Union (P)
 *Gallaher Sales Staff Association
 *Gas Managers Association
 Gatwick Handling Staff Association
 *General Dental Practitioners Association
 General Federation of Trade Unions
 *General Union of Associations of Loom Overlookers (P)
 Girobank Senior Managers Staff Association
 *GMB (P)
 #Government Communications Staff Federation
 *Graphical Paper and Media Union (P)
 *Guild of Professional Teachers of Dancing
 *Guild of Textile Supervisors
 *Guinness Brewing Staff Association (UK)
 Harrods Staff Union
 Headmasters Conference
 Hongkong Bank Group UK Staff Association
 *Hospital Consultants and Specialists Association
 *Hospital Doctors Association
 Huddersfield and Dewsbury Power Loom Overlookers Society
 *Hyde and District Textile (Technicians and Operatives) Association
 *Immigration Service Union
 *Independent Union of Halifax Staff
 *Inland Revenue Staff Federation (P)
 Institute of Football Management and Administration
 *Institute of Journalists (Trade Union)
 Institute of Professional Driving Examiners
 *Institution of Professionals Managers and Specialists (P)

Irish Bank Officials Association

*Iron and Steel Trades Confederation (P)

Joint Boots Pharmacists Association

#Jones and Shipman Administrative Staff Association

*Leeds Permanent Building Society Staff Association

Leek United Building Society Staff Association

Leicestershire Overmen Deputies and Shotfirers Association

*Lloyds Group Union

Lloyds Register (UK) Staff Association

*London Society of Tie Cutters

*Lufthansa Staff Association United Kingdom

*Manufacturing Science and Finance Union (P)

*Military and Orchestral Musical Instrument Makers Trade Society

*Musicians Union (P)

*National and Provincial Building Society Staff Association

*National Association of Colliery Overmen Deputies and Shotfirers (P)

*National Association of Colliery Overmen Deputies and Shotfirers Midland Area

National Association of Colliery Overmen Deputies and Shotfirers (Northumberland Area)

*National Association of Colliery Overmen Deputies and Shotfirers (South Wales Area)

*National Association of Colliery Overmen Deputies and Shotfirers (Yorkshire Area)

*National Association of Co-operative Officials

*National Association of Educational Inspectors Advisers and Consultants

*National Association of Head Teachers

*National Association of Licensed House Managers

*National Association of NFU Group Secretaries

*National Association of Probation Officers

National Association of Professional and Technical Theatre Personnel

*National Association of Schoolmasters and Union of Women Teachers (P)

*National Association of Teachers in Further and Higher Education (P)

*National Communications Union (Engineering and Clerical Groups) (P)

*National Federation of Sub-Postmasters

National House Building Council Staff Association

*National League of the Blind and Disabled (P)

*National Owner Drivers Association UK

*National Society for Education in Art and Design

*National Union of Civil and Public Servants (P)

*National Union of Club Stewards

*National Union of Domestic Appliances and General Operatives (P)

*National Union of Flint Glass Workers

*National Union of Insurance Workers (P)

*National Union of Journalists

*National Union of Knitwear Footwear and Apparel Trades (P)

*National Union of Lock and Metal Workers (P)

*National Union of Marine Aviation and Shipping Transport Officers

*National Union of Mineworkers (P)

*National Union of Mineworkers (Cannock Chase and Pelsall District Midland Area)

National Union of Mineworkers (Cokemens Area)

*National Union of Mineworkers (Colliery Officials and Staffs Area)

National Union of Mineworkers (Colliery Officials and Staffs Area) (Region No. 2)

National Union of Mineworkers (Colliery Officials and Staffs Area) (Region No. 3)

*National Union of Mineworkers (Colliery Officials and Staffs Area) (Region No. 4)

*National Union of Mineworkers (Colliery Officials and Staffs Area) (Region No. 5)

National Union of Mineworkers (Derbyshire Area)

National Union of Mineworkers (Durham Area)

National Union of Mineworkers (Durham Mechanics Group No. 1 Area)

National Union of Mineworkers (Lancashire Area)

*National Union of Mineworkers (Leicester Area)

National Union of Mineworkers (Midland Area)

National Union of Mineworkers (North Stafford Federation Midland Area)

National Union of Mineworkers (Northumberland Area)

*National Union of Mineworkers (Northumberland Mechanics Group No. 1 Area)

National Union of Mineworkers (North Wales Area)

*National Union of Mineworkers (Power Group Area)

National Union of Mineworkers (South Wales Area)

*National Union of Mineworkers (Warwickshire District Midlands Area)

*National Union of Rail Maritime and Transport Workers (P)

*National Union of Teachers

*Nationwide Group Staff Association

*NatWest Staff Association

NCH Promotional Services Staff Association

*Nelson and District Clothlookers and Warehouse Association

New Towns Chief Officers Association

Nielsen Staff Association

*North-East Coast Tug-Boatmen's Association

*Northern Carpet Trades Union

*Northern Colliery Officials and Staffs Association

Organisation of CPL Technicians

*Pattern Weavers Society

*Portman Staff Association

*Power Loom Carpet Weavers and Textile Workers Union (P)

*Prison Governors Association

*Prison Officers Association

Prison Service Union

- *Professional Association of Nursery Nurses
- *Professional Association of Teachers
- #Professional Flight Instructors Association
- Professional Footballers Association
- Rediffusion Simulation Staff Association
- *Retail Book Stationery and Allied Trades Employees Association
- *Retained Firefighters Union (P)
- *Retired Officers Association
- *Rossendale Union of Boot Shoe and Slipper Operatives (P)
- *Royal College of Midwives
- *Royal College of Nursing of the United Kingdom
- #Royal Lancaster Hotel Staff Association
- #Royal London District Managers and Superintendents Association
- Royal Society of Chemistry Staff Association
- RSPB Staff Association
- Rumbelows Branch Managers Association
- Rumbelows Retail Staff Association (RRSA)
- Scarborough Building Society Staff Association (SOCASS)
- *Secondary Heads Association
- Self-Employed and Employed Electricians Association
- Sheffield Wool Shear Workers Trade Union
- *Skipton and District Power-Loom Overlookers Association
- *Skipton Staff Association
- *Society of Authors Limited
- *Society of Chief Officers of Probation
- *Society of Chiropodists and Podiatrists
- *Society of Radiographers
- *Society of Telecom Executives (P)
- *Society of Union Employees (UNISON)
- *Stable Lads Association
- *Staff Association of Bank of Baroda (UK Region)
- *Staffordshire Building Society Staff Association
- *Star Aluminium Managerial Staff Association
- Sun Alliance Staff Union
- *Sun Life Staff Association
- *Teston Independent Society of Cricket Ball Makers
- *Thorn EMI Electronics Limited Junior and Middle Management Staff Association
- *Transport and General Workers Union (P)
- *Transport Salaried Staffs Association (P)

- *Undeb Cenedlaethol Athrawon Cymru (National Association of Teachers of Wales)
- *Union of Communication Workers (P)
- *Union of Construction Allied Trades and Technicians (P)
- *Union of Democratic Mineworkers (P)
- Union of Dexion Workers
- *Union of Medical Administrative Staff
- *Union of Shop Distributive and Allied Workers (P)
- *Union of Textile Workers (P)
- *UNISON - The Public Service Union (P)
- *United Association of Power Loom Overlookers
- *United Friendly Agents Association
- #United Friendly Head Office Management Association
- *United Road Transport Union
- *West Bromwich Building Society Staff Association
- Whatman Reeve Angel Staff Association
- *Woolwich Independent Staff Association
- *Writers Guild of Great Britain
- *Yorkshire Building Society Staff Association

Scotland

- *Association of Head Teachers in Scotland
- District Nursing Association UK
- *Dunfermline Building Society Staff Association
- *Educational Institute of Scotland (P)
- *National Association of Colliery Overmen Deputies and Shotfirers (Scottish Area)
- *National Union of Mineworkers (Colliery Officials and Staffs Area) Scottish Region
- No. 8
- *Offshore Industry Liaison Committee
- Professional Staff Association of Scottish Woodland Owners Association
(Commercial) Limited
- *Scottish Carpet Workers Union (P)
- Scottish Equitable Staff Association
- *Scottish Further and Higher Education Association
- *Scottish Health Visitors Association
- *Scottish Prison Officers Association
- *Scottish Secondary Teachers Association
- *Scottish Union of Power Loom Technicians

Appendix 2

(see paragraph 1.7)

List of Employers' Associations at 31 December 1994

Note:

Employers' associations first entered in the list during 1994 are shown in italics.

England and Wales

Advertising Film and Videotape Producers Association
 Anglian Marine Industries Association
 Association of British Orchestras
 Association of Circus Proprietors of Great Britain
 Association of Indian Banks in the United Kingdom
 Association of Midland Advertising Agencies
 Association of Newspaper and Magazine Wholesalers
 Association of Northern Advertising Agencies
 Association of Scottish Advertising Agencies

Birmingham Wholesale Fresh Produce Association
 Blackburn District Textile Manufacturers Association
 Bolton and District Textile Employers Association
 British Amusement Catering Trades Association
 British Box and Packaging Association
 British Brush Manufacturers Association
 British Ceramic Manufacturers Federation
 British Clothing Industry Association Limited
 British Decorators Association
 British Exhibition Contractors Association
 British Lace Federation
 British Leavers Lace Manufacturers Association
 British Lock Manufacturers Association
 British Metals Federation
 British Precast Concrete Federation Limited
 British Printing Industries Federation
 British Ready Mixed Concrete Association
 British Textile Fibres Association
 Builders Merchants Federation
 Building Employers Confederation

CEF (Colleges Employers Forum)
 China Clay Association
 Cinema Exhibitors Association

Construction Plant-Hire Association
 Co-operative Employers Association

Dairy Trade Federation Limited

East Midlands Local Authorities Employers Organisation
Eastern and Essex and Hertfordshire Regional Employers Organisation (Local Authorities)

EEF Lancashire
 EEF Northern Association
 EEF South
 EEF West Midlands Association
 Electrical Contractors Association
 Employers Federation of Textile Finishers
 Engineering and Shipbuilding Employers Association - Yorkshire and Humberside
Engineering Construction Industry Association
 Engineering Employers Association of South Lancashire Cheshire and North Wales
 Engineering Employers East Anglian Association
 Engineering Employers East Midlands Association
 Engineering Employers Federation
 Engineering Employers Sheffield Association (South Yorkshire and North Midlands)
 Engineering Employers Western Association

Federation of Bakers
 Federation of Civil Engineering Contractors
 Federation of Dredging Contractors
 Federation of Master Builders
 Federation of Master Organ Builders
 Federation of Staffordshire Clothing and Textile Employers
 Footwear Distributors Federation

Glass and Glazing Federation
 Grimsby Fishing Vessel Owners Association

Heating and Ventilating Contractors Association
 Hinckley and District Knitting Industry Association

Lancaster Morecambe and South Lakeland Master Plumbers Association
 Leather Producers Association
 London Association of Shore Gang Contractors

Mastic Asphalt Council and Employers Federation Limited
 Mid-Anglian Engineering Employers Association
 Multiwall Sack Manufacturers Employers Association

National Association of Farriers Blacksmiths and Agricultural Engineers
 National Association of Glove Manufacturers
 National Association of Master Bakers
 National Association of Plumbing Heating and Mechanical Services Contractors
 National Association of Shopkeepers and Self Employed of Great Britain and
 Northern Ireland
 National Federation of Master Window and General Cleaners
 National Federation of Retail Newsagents
 National Fillings Trade Association
 National Hairdressers Federation
 National Master Tile Fixers Association
 National Pharmaceutical Association Limited
 National Sawmilling Association
 National Trainers Federation
 Natural Slate Quarries Association
 Newspaper Society
 North East Lancashire Textile Manufacturers Association

Paper Federation of Great Britain Ltd
 Polytechnics and Colleges Employers Forum
 Producers Alliance for Cinema and Television
 Publishers Association

Representative National Organisation of Employers of Local Authority Staff
 Representative National Organisation of Employers of New Towns Staff
 Representative Northern and North Eastern Provincial Organisation of Employers of
 Local Authorities Staff
 Retail Motor Industry Federation Ltd

Showmens Guild of Great Britain
 Smithfield Market Tenants Association London
 South East Employers
 South Western Provincial Employers Organisation
 Stourbridge Crystal Glass Manufacturers Association

Test and County Cricket Board
 Thermal Insulation Contractors Association

Vehicle Builders and Repairers Association Limited

Welsh Engineers and Founders Association
 Wire and Wire Rope Employers Association

Yorkshire and Humberside Local Authorities Employers Organisation
 Yorkshire Glass Manufacturers Association

Scotland

Clydeside Federation of Community Based Housing Associations

Electrical Contractors Association of Scotland

Glasgow and District Retail Fleshers Association

Hawick Knitwear Manufacturers Association

Malt Distillers Association of Scotland

Scottish and Northern Ireland Plumbing Employers Federation

Scottish Decorators Federation

Scottish Engineering

Scottish Glass Association

Scottish Grocery Trade Employers Association

Scottish Newspaper Publishers Association

Scottish Pharmaceutical Federation

Scottish Print Employers Federation

Appendix 3

(see paragraph 2.8)

Decisions on Trade Union Independence during 1994

Certificates of independence issued

Gallaher Sales Staff Association
Institute of Journalists (Trade Union)
Staff Association of Bank of Baroda (UK Region)

Certificates of independence refused

None

Certificates cancelled because the union ceased to exist as a result of a merger

Furniture Timber and Allied Trades Union
National Union of Mineworkers (Yorkshire Area)

Certificates cancelled because the union was dissolved

Assistant Chief Probation Officers Association
Colne and District Textile Warehouse Association
Electrical Power Engineers Association
Guinness (Park Royal) Supervisory Association
Heart of England Building Society Staff Association
Space and Communications Stevenage Staff Association

Certificate cancelled because the union requested removal from the list of trade unions

Association of Optometrists

Applications in progress

British Association of Journalists
Prison Service Union

Reviews in progress

National Association of Colliery Overmen, Deputies and Shotfirers Midland Area

Appendix 4

Summary of Statistics - Trade Unions, 1993

The annual returns completed by trade unions for the Certification Office require the accounts to be shown in a particular way. The figures used in this Appendix are taken from these annual returns and provide a simple analysis. Copies of individual annual returns are available from the Office. Individual unions publish their own accounts with considerable variations in format. It may be difficult therefore to correlate the figures in the Appendix with those in any published accounts of individual trade unions. *The information in the table relates to the year 1993 and therefore to unions which were in existence at that time.*

Notes

- (a) The total membership reported by some trade unions includes a number of special categories (eg. honorary, retired, unemployed) who are members under the union's rules but who either pay no contribution to union funds or make a nominal payment only.
- (b) Investment income is shown net of certain items such as outgoings on property held as an investment, but not, for most unions, net of tax paid on that income.
- (c) Total income and total expenditure include receipts, outgoings and all other items which increased or decreased a union's total funds during the year. It is not confined to normal revenue income and expenditure. Tax recoveries and provisions no longer required are therefore included in total income, and tax paid is included in total expenditure.
- (d) The distinction between benefits to members and administration and other expenditure is not always clear cut. Certain types of expenditure - for example, the provision of legal and other advisory services - can fall under either heading.
- (e) Investment assets are shown at cost.
- (f) This figure has been changed from last year's report due to later information.

Summary of Statistics - Trade Unions, 1993
(see paragraph 4.5)

Appendix 4

	Number of Members (a)	GROSS INCOME				GROSS EXPENDITURE			TOTAL FUNDS		GROSS ASSETS				Total Liabilities
		From Members	From Investments	Other Income	Total Income	Benefits to Members	Administration and other expenditure	Total expenditure	Beginning of the Year	End of the Year	Fixed Assets	Investments	Other Assets	Total Assets	
Unions with 100,000 members or more:-															
Transport and General Workers Union	949,107	60,261	3,334	441	64,036	8,619	51,904	60,523	52,793	56,306	34,430	11,340	18,676	64,446	8,140
Amalgamated Engineering and Electrical Union	835,019	37,419	3,235	1,151	41,805	3,625	36,213	39,838	28,136(f)	30,103	17,563	11,838	15,504	44,905	14,802
GMB	808,571	40,627	1,713	1,719	44,059	4,708	36,343	41,051	53,639	56,647	26,625	15,914	19,767	62,306	5,659
*National and Local Government Officers Association	754,010	50,444	2,012	5,930	58,386	10,131	60,497	70,628	74,480	62,238	16,251	30,825	22,552	69,628	7,390
*National Union of Public Employees	520,123	14,140	451	2,513	17,104	1,588	15,153	16,741	22,020	22,383	10,162	5,668	11,242	27,072	4,689
Manufacturing Science and Finance Union	516,000	22,248	821	283	23,352	3,347	19,593	22,940	13,174(f)	13,586	21,968	2,088	8,015	32,071	18,485
Royal College of Nursing of the United Kingdom	303,379	10,846	-	-	10,846	678	10,168	10,846	-	-	-	-	4,110	4,110	4,110
Union of Shop Distributive and Allied Workers	299,495	14,839	1,038	1,012	16,889	1,079	13,708	14,787	13,765	15,867	2,970	10,935	2,300	16,205	338
Graphical Paper and Media Union	250,230	21,196	2,028	2,461	25,685	5,267	23,015	28,282	43,683(f)	41,086	4,967	15,560	22,527	43,054	1,968
National Union of Teachers	232,243	11,144	1,235	556	12,935	3,094	9,686	12,780	5,671	5,826	2,752	1,234	4,872	8,858	3,032
National Association of School Masters and Union of Women Teachers	206,829	6,680	445	1,119	8,244	916	6,085	7,001	10,754	11,997	3,978	7,021	1,380	12,379	382
*Confederation of Health Service Employees	190,798	5,840	277	366	6,483	689	5,981	6,670	12,694(f)	12,507	3,232	5,970	4,520	13,722	1,215
Union of Communication Workers	179,899	14,515	326	101	14,942	1,921	11,212	13,133	9,488	11,297	2,963	1,203	8,301	12,467	1,170
Association of Teachers and Lecturers	161,602	6,761	181	467	7,409	1,507	4,966	6,473	2,284	3,220	2,304	357	1,295	3,956	736
Banking Insurance and Finance Union	140,924	7,317	241	133	7,691	225	7,344	7,569	4,654	4,776	2,887	1,535	1,104	5,526	750
Union of Construction Allied Trades and Technicians	135,878	4,448	6	256	4,710	261	5,430	5,691	1,663(f)	682	2,740	17	309	3,066	2,384
Civil and Public Services Association	131,841	9,693	377	68	10,138	490	8,412	8,902	11,144	12,380	6,480	1,192	6,319	13,991	1,611
National Communications Union (Engineering and Clerical Groups)	122,068	10,966	363	78	11,407	1,560	9,171	10,731	14,202(f)	14,878	4,809	569	10,113	15,491	613
National Union of Civil and Public Servants	112,080	10,610	30	159	10,800	477	10,176	10,653	5,321	5,467	5,975	128	2,096	8,199	2,732
Total for above unions with 100,000 members or more	6,850,096	359,994	18,113	18,813	396,920	50,182	345,057	395,239	379,565	381,246	173,056	123,394	165,002	461,452	80,206
Total for 263 other listed unions with less than 100,000 members	1,811,197	134,781	15,622	42,790	193,293	20,549	162,722	183,271	249,908	259,830	82,636	118,706	109,044	310,386	50,556
Total for listed unions	8,661,293	494,775	33,735	61,603	590,213	70,731	507,779	578,510	629,473	641,076	255,692	242,100	274,046	771,838	130,762
Trades Union Congress	-	1,071	808	9,858	11,737	-	10,997	10,997	5,240	5,980	2,805	2,925	2,541	8,271	2,291
Total for 14 other unlisted unions which have submitted returns	4,651	2,955	1,860	9,319	14,135	951	11,872	12,823	40,325	41,636	970	18,426	35,258	54,654	13,018
Total for all unions 1993	8,665,944	498,801	36,403	80,780	615,145	71,682	530,648	602,330	675,038	688,692	259,467	263,451	311,845	834,763	146,071
Total for all unions 1992	8,928,902	517,825	44,847	60,303	622,975	71,985	529,080	601,065	671,305	693,215	257,100	290,357	290,679	838,136	144,921

Notes - see previous page

*These unions amalgamated on 1 July 1993 to form UNISON - The Public Service Union

Appendix 5

Summary of Statistics - Employers' Associations, 1993

Appendix 5 provides a simple analysis of the annual returns made by employers' associations to the Certification Office. Copies of individual annual returns are available from the Office. It may be difficult to correlate these figures with those in an association's published accounts. Where an association has functions outside the field of industrial relations the return may relate to its activities as a whole and not merely to its industrial relations functions.

Notes

- (a) Income from investments includes interest on short term deposits.
- (b) Total income and gross expenditure include receipts, outgoings and all other items which increased or decreased an employers' association's funds during the year. It is not confined to normal revenue income and expenditure. Tax recoveries and provisions no longer required are therefore included in total income, and tax paid is included in total expenditure.
- (c) Investment assets are shown at cost.
- (d) This figure has been changed from last year's report due to later information.
- (e) Below £500.

Summary of Statistics - Employers' Associations, 1993
(see paragraph 4.16)

Appendix 5

	GROSS INCOME				GROSS EXPENDITURE	TOTAL FUNDS		GROSS ASSETS				Total Liabilities	Number of Members
	From Members	From Investments	Other Income	Total Income		Beginning of the Year	End of the Year	Fixed Assets	Investment Assets	Other Assets	Total Assets		
	(a)	(b)	(c)	(d)		(e)	(f)	(g)	(h)	(i)	(j)		
	£000s	£000s	£000s	£000s		£000s	£000s	£000s	£000s	£000s	£000s		
Employers' Associations with over £1,500,000 total income:-	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)
Engineering Employers Federation	1,868	2,291	788	4,947	4,203	17,787	18,531	951	17,109	1,360	19,420	889	17
EEF West Midlands	1,224	178	3,066	4,468	4,129	2,472	2,811	899	1,294	2,248	4,441	1,630	1,133
National Engineering Construction Employers Association	1,456	165	162	1,783	1,453	633	963	97	409	2,103	2,609	1,646	292
EEF South	918	126	597	1,641	1,640	2,271(d)	2,272	1,352	544	805	2,701	429	474
Engineering Employers Western Association	700	27	824	1,551	1,496	611	666	258	315	310	883	217	325
10 Other Engineering Employers Associations in Great Britain	2,859	179	2,352	5,390	5,310	3,125	3,205	1,352	1,134	1,711	4,197	992	2,269
*National Farmers Union	18,488	1,994	14,999	35,481	20,576	17,228(d)	32,133	13,429	2,048	29,110	44,587	12,454	107,209
Test and County Cricket Board	-	-	24,601	24,601	24,601	-	-	-	-	1,826	1,826	1,826	20
*Freight Transport Association Limited	2,220	126	8,533	10,879	10,798	3,950	4,031	3,678	1,800	2,618	8,096	4,065	11,596
Electrical Contractors Association	2,027	1,305	6,406	9,738	6,809	18,620(d)	21,549	318	29,398	5,000	34,716	13,167	1,958
Building Employers Confederation	5,582	199	3,256	9,037	8,934	5,482(d)	5,585	5,099	409	3,170	8,678	3,093	5,638
Heating and Ventilating Contractors Association	1,351	855	6,382	8,588	7,614	4,569	5,543	793	1,475	5,464	7,732	2,189	1,118
British Printing Industries Federation	3,308	76	2,477	5,861	5,804	1,028	1,085	785	685	2,309	3,779	2,694	3,050
Retail Motor Industry Federation Limited	3,156	551	1,432	5,139	5,251	1,617	1,505	2,288	1	5,131	7,420	5,915	12,405
*Chemical Industries Association Limited	4,084	115	741	4,940	4,938	213	215	77	2,000	706	2,783	2,568	174
National Federation of Retail Newsagents	4,224	70	36	4,330	4,564	2,792	2,558	1,868	574	1,329	3,771	1,213	28,074
Newspaper Society	3,078	132	380	3,590	3,551	1,003	1,042	131	216	2,642	2,989	1,947	240
*Road Haulage Association Limited	1,641	43	1,842	3,526	3,423	3,363(d)	3,466	3,297	14	1,254	4,565	1,099	9,780
Federation of Master Builders	2,351	36	792	3,179	3,145	3,925(d)	3,959	4,929	600	568	6,097	2,138	17,362
*British Jewellery and Giftware Federation Limited	522	1,260	1,123	2,905	1,896	4,950	5,959	1,337	5,284	1,309	7,930	1,971	1,787
National Pharmaceutical Association	1,881	67	633	2,581	2,412	1,367	1,536	1,066	440	1,251	2,757	1,221	6,894
Federation of Civil Engineering Contractors	1,711	99	293	2,103	2,221	963	845	187	427	586	1,200	355	290
*BFM Limited	335	24	1,547	1,906	1,803	925	1,028	1,058	103	1,344	2,505	1,477	264
Vehicle Builders and Repairers Association	1,816	51	35	1,902	1,973	910(d)	839	461	2	572	1,035	196	3,194
*West End Theatre Managers Limited	1,669	64	17	1,750	1,772	99	77	11	384	1,362	1,757	1,680	90
Paper Federation of Great Britain Limited	1,202	15	460	1,677	1,683	1,271	1,265	1,421	(e)	455	1,876	611	59
Producers Alliance for Cinema and Television Limited	342	81	1,193	1,616	1,548	186	254	61	155	666	882	628	1,267
Dairy Trade Federation Limited	1,558	-	54	1,612	1,524	696	784	67	-	4,632	4,699	3,915	3,300
National Farmers Union of Scotland	1,206	59	330	1,595	1,368	654	881	104	757	216	1,077	196	13,502
Total for above Employers' Associations	72,777	10,188	85,351	168,316	146,439	102,710	124,587	47,374	67,577	82,057	197,008	72,421	233,781
Total for 86 other listed Employers' Associations	11,178	1,148	6,027	18,353	17,889	16,865	17,329	8,366	7,469	8,909	24,744	7,415	31,080
Total for 108 other unlisted Employers' Associations	10,213	553	4,189	14,955	14,613	8,510	8,852	3,463	3,456	7,130	14,049	5,197	13,274
Total for all Employers' Associations 1993	94,168	11,889	95,567	201,624	178,941	128,085	150,768	59,203	78,502	98,096	235,801	85,033	278,135
Total for all Employers' Associations 1992	95,943	12,540	71,644	180,127	168,103	121,151	133,175	63,095	72,580	68,323	203,998	70,823	279,689

*Unlisted Employers' Associations
Notes - see previous page

Appendix 6

(see paragraph 5.3)

Trade Unions Maintaining Members' Superannuation Schemes at 31 December 1994

Note: * Denotes unions maintaining schemes exempted from the need for actuarial examination.

Amalgamated Engineering and Electrical Union

*Associated Society of Locomotive Engineers and Firemen

GMB

*Graphical Paper and Media Union (6 schemes 1 exempt)

*Iron and Steel Trades Confederation

Manufacturing Science and Finance Union (2 schemes)

National Union of Flint Glass Workers

National Union of Knitwear Footwear and Apparel Trades

*National Union of Mineworkers (2 schemes both exempt)

*National Union of Mineworkers (North Stafford Federation Midland Area)

*National Union of Rail Maritime and Transport Workers (2 schemes, 1 exempt)

*Transport and General Workers Union

Appendix 7

(see paragraph 6.9)

Mergers Completed in 1994

Trade Union Transfers of Engagements

<i>Engagements transferred from</i>	<i>To</i>	<i>Transfer registered on</i>
Ceram Research Staff Association	Manufacturing Science and Finance Union	23.6.94
National Union of Mineworkers (Yorkshire Area)	National Union of Mineworkers	17.8.94

Employers' Associations Amalgamations

<i>Amalgamating Employers' Associations</i>	<i>Forming</i>	<i>Amalgamation registered on</i>
National Engineering Construction Employers Association and Oil and Chemical Plant Constructors Association	Engineering Industry Construction Association	30.3.94
Lancashire Engineering Employers Association and North West Lancashire Engineering Employers Association	EEF Lancashire	6.7.94

Appendix 8

Political Funds of Trade Unions, 1993 (see paragraph 7.11)

	Number of Members contributing to the Political Fund (b) (1)	Number of Members exempt from contributing to the Political Fund (b) (2)	POLITICAL FUND (a)			
			Income	Expenditure	Fund at Beginning of Year	Fund at End of Year
			£ (3)	£ (4)	£ (5)	£ (6)
Amalgamated Engineering and Electrical Union	553,194	89,393	1,331,000	1,278,000	437,000	490,000
Associated Society of Locomotive Engineers and Firemen	16,809	557	60,437	48,851	71,818	83,404
Association of Her Majesty's Inspectors of Taxes	2,480	142	7,380	-	23,080	30,460
Association of University Teachers	29,592	282	21,504	3,788	19,820	37,536
Bakers Food and Allied Workers Union	29,360	1,750	55,631	49,262	9,551	15,920
Broadcasting Entertainment Cinematograph and Theatre Union	34,442	78	62,291	55,306	78,086	85,071
Ceramic and Allied Trades Union	21,818	63	84,603	56,242	109,436	137,797
Civil and Public Services Association	-	-	-	-	(4,368)	(4,368)
Communication Managers Association	13,899	394	19,408	29,923	62,919	52,404
Confederation of Health Service Employees	175,476	15,322	275,150	204,249	260,256(c)	331,157
Educational Institute of Scotland	45,956	1,616	66,598	4,552	203,990	266,036
Electrical and Plumbing Industries Union	1,000	2	1,720	1,467	1,149	1,402
Fire Brigades Union	37,305	14,775	144,892	92,835	122,233	174,290
Furniture Timber and Allied Trades Union	22,550	3,714	37,111	18,630	1,541	20,022
General Union of Associations of Loom Overlookers	287	188	488	243	153	398
GMB	749,228	59,343	2,648,000	2,614,000	1,108,000	1,142,000
Graphical Paper and Media Union	105,091	145,139	335,732	250,615	582,438(c)	667,555
Inland Revenue Staff Federation	53,157	2,095	127,822	157,142	223,997	194,677
Institution of Professionals Managers and Specialists	75,369	2,486	45,221	53,875	62,714	54,060
Iron and Steel Trades Confederation	27,203	4,615	125,051	96,708	15,228	43,571
Manufacturing Science and Finance Union	204,627	311,373	456,000	496,000	88,000	48,000
Musicians Union	30,205	1,481	14,156	21,783	11,486	3,859
National and Local Government Officers Association	623,859	44,513	1,364,025	1,561,159	3,296,329	3,099,195
National Association of Colliery Overmen Deputies and Shotfirers	3,668	24	20,290	18,024	50,684(c)	52,950
National Association of Overmen Deputies and Shotfirers Durham Area	91	-	1,258	603	726	1,381
National Association of Schoolmasters and Union of Women Teachers	115,535	364	58,321	20,724	41,612	79,209
National Association of Teachers in Further and Higher Education	66,621	2,923	86,444	11,410	285,922	360,956
National Communications Union (Engineering and Clerical Groups) - Engineering Group	67,706	16,597	280,521	260,645	94,384	114,260
National Communications Union (Engineering and Clerical Groups) - Clerical Group	26,384	3,118	81,261	62,535	194,284	213,010
National League of the Blind and Disabled	1,159	1,122	3,104	3,219	7,888(c)	7,773

Political Funds of Trade Unions, 1993 cont.
(see paragraph 7.11)

Appendix 8

	Number of Members contributing to the Political Fund (b) (1)	Number of Members exempt from contributing to the Political Fund (b) (2)	POLITICAL FUND (a)			
			Income	Expenditure	Fund at Beginning of Year	Fund at End of Year
			£ (3)	£ (4)	£ (5)	£ (6)
National Union of Civil and Public Servants	110,963	1,117	133,621	17,866	584,507	700,262
National Union of Domestic Appliances and General Operatives	2,394	8	2,246	1,046	89	1,289
National Union of Insurance Workers	10,242	2,277	20,045	19,823	75,239	75,461
National Union of Knitwear Footwear and Apparel Trades	46,357	760	109,629	107,158	81,647	84,118
National Union of Lock and Metal Workers	3,998	50	2,505	722	9,427	11,210
National Union of Mineworkers	14,335	63,790	189,210	383,260	516,293(c)	322,243
National Union of Public Employees	505,671	11,952	1,047,386	857,219	1,424,037	1,614,204
National Union of Rail Maritime and Transport Workers	84,161	1,492	287,000	261,000	59,000	85,000
National Union of Scalemakers	-	506	3	-	316	319
Power Loom Carpet Weavers and Textile Workers Union	1,799	1	1,982	850	4,302	5,434
Rosendale Union of Boot Shoe and Slipper Operatives	1,824	15	6	26	1,407	1,387
Scottish Carpet Workers Union	764	-	641	45	1,326	1,922
Society of Telecom Executives	11,934	9,805	42,700	18,000	85,916	110,616
Transport and General Workers Union	892,367	13,219	2,669,000	2,640,000	3,772,000	3,801,000
Transport Salaried Staffs Association	34,203	5,031	97,199	83,879	94,524	107,844
Union of Communication Workers	166,733	13,166	455,517	473,423	117,576	99,670
Union of Construction Allied Trades and Technicians	103,973	21,752	33,000	32,000	4,000	5,000
Union of Democratic Mineworkers	6,621	77	5,151	4,908	9,222	9,465
Union of Shop Distributive and Allied Workers	273,828	25,667	794,081	588,734	465,547	670,894
Union of Textile Workers	1,522	128	3,166	3,069	1,883	1,980
Total for the 50 unions with political funds for 1993	5,407,760	894,282	13,709,507	12,964,818	14,768,614	15,513,303
Total for the 51 unions with political funds for 1992	5,578,568	1,119,869	15,524,409	19,029,984	18,097,351	14,591,776

Notes:

- (a) The information in the table relates to the position at the end of 1993 and therefore to unions which were in existence at that time.
- (b) It should be noted that columns (1) and (2) do not necessarily add up to a union's total membership. This is because, in the case of some trade unions, total membership includes various classes of special category members (eg. honorary, retired, unemployed) who are members under the union's rules but who are neither required to pay the political levy nor to seek formal exemption.
- (c) This figure has been changed from last year's report due to later information.

Appendix 9

(see paragraph 8.9)

Refunds of Ballot Costs, 1994

Trade Union	Amount Paid £
Amalgamated Engineering and Electrical Union	55,886
ANSA	2,874
Associated Society of Locomotive Engineers and Firemen	18,016
Association of Educational Psychologists	1,153
Association of First Division Civil Servants	3,488
Association of Teachers and Lecturers	27,948
Association of University Teachers	9,414
Banking Insurance and Finance Union	44,911
Barclays Group Staff Union	48,790
Britannic Field Staff Association	332
British Actors Equity Association	7,340
British Air Line Pilots Association	5,102
British Dental Association	4,851
British Medical Association	28,283
Broadcasting Entertainment Cinematograph and Theatre Union	9,198
Chartered Society of Physiotherapy	14,860
Civil and Public Services Association	115,413
Communication Managers Association	7,617
Directors Guild of Great Britain	593
Educational Institute of Scotland	6,504
Engineers and Managers Association	27,707
Federated Union of Managerial and Professional Officers	87
GMB	36,626
Immigration Service Union	1,767
Independent Union of Halifax Staff	7,320
Inland Revenue Staff Federation	57,087
Institute of Professionals Managers and Specialists	29,030
Iron and Steel Trades Confederation	4,344
Manufacturing Science and Finance Union	33,659
Musicians Union	17,092

National and Provincial Building Society Staff Association	177
National Association of Head Teachers	414
National Association of Probation Officers	2,530
National Association of Schoolmasters and Union of Women Teachers	25,365
National Association of Teachers in Further and Higher Education	47,927
National Communications Union	69,274
National Society for Education in Art and Design	88
National Union of Civil and Public Servants	25,538
National Union of Domestic Appliances and General Operatives	956
National Union of Journalists	1,373
National Union of Knitwear Footwear and Apparel Trades	14,337
National Union of Rail Maritime and Transport Workers	61,117
National Union of Teachers	110,361
Nationwide Group Staff Association	2,571
NatWest Staff Association	19,415
Prison Governors Association	507
Prison Officers Association	17,873
Professional Association of Teachers	15,220
Royal College of Midwives	26,150
Royal College of Nursing of the United Kingdom	21,071
Scottish Secondary Teachers Association	2,687
Secondary Heads Association	2,498
Transport and General Workers Union	371,051
Transport Salaried Staffs Association	31,164
Union of Communication Workers	116,400
Union of Shop Distributive and Allied Workers	137,698
UNISON - The Public Service Union	147,412
United Road Transport Union	1,490
Total	1,899,955

APPENDIX 10

Current statutory fees applicable from 1 April 1994

Fees are calculated to represent the full cost of providing each service.

	Current Fee
Application for entry in the list of trade unions	£129
Application for entry in the list of employers' associations	£129
Application for approval of a change of name	£86
#Application for a certificate of independence	£1,450
Application for formal approval of an instrument of transfer of engagements or an instrument of amalgamation	£1,518
Inspection of merger documents	£50

#The current fee for an application for a certificate of independence represents 40% recovery rate and will increase to a 70% rate in 1995/96 and to full cost recovery in 1996/97.

APPENDIX 11

Certification Office Publications

The following Certification Office booklets are available free of charge on request:

1. *Mergers: a guide to the statutory requirements for transfers of engagements and amalgamations of trade unions (1994)*
2. *Mergers: a guide to the statutory requirements for transfers of engagements and amalgamations of employers' associations (1994)*
3. *Guidance for trade unions wishing to apply for a certificate of independence (1992)*
4. *Guidance for trade unions applying for refund of costs of a secret postal ballot (1994)*
5. *Guidance for trade unions and employers' associations wishing to establish a political fund (1994)*
6. *A guide to political fund review ballots (1993)*
7. *Annual Reports of the Certification Officer*